

United States District Court

For the Northern District of California

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

10 KEN WALTERS, et al., No. C-06-01906 WHA (DMR)
11 Plaintiffs, Consolidated with
12 v. No. C-06-05396 WHA (DMR)
13 GOLDEN GATE CRANE & RIGGING, INC., **ORDER SETTING DEBTOR'S**
14 Defendant. **EXAMINATION OF JUDGMENT**
15 _____/ **DEBTOR ROBERT NEWBERRY;**
16 **ORDER TO SHOW CAUSE**
17 KEN WALTERS, et al.,
18 Plaintiffs,
19 v.
20 GOLDEN GATE CRANE & RIGGING, INC.,
ROBERT NEWBERRY, SUE NEWBERRY,
et al.
21 Defendants.
22 _____/

23 On August 23, 2011, the court set these matters for a debtor's examination to take place on
24 December 7, 2011 at 9:30 a.m. [Docket Nos. 135, 136 (Case No. 06-1906); Docket Nos. 100, 102
25 (Case No. 06-5396).] Judgment Debtor Robert Newberry did not appear on December 7, 2011.
26 Additionally, on November 3, 2011, the court issued an order for the parties to meet and confer
27 regarding their discovery dispute. [Docket No. 142 (Case No. 06-1906).] On December 7, 2011,
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1 counsel for Plaintiffs represented that Mr. Newberry had not responded to her efforts to meet and
2 confer about discovery.

3 Therefore, IT IS HEREBY ORDERED that Robert Newberry, as an officer of Judgment
4 Debtor Golden Gate Crane & Rigging and in his personal capacity, shall personally appear on
5 **January 18, 2012 at 9:00 a.m.** at the U.S. District Court, 1301 Clay Street, Oakland, California
6 94612 to be examined under oath concerning Judgment Debtor's property or other matters material
7 to the proceeding. For courtroom number and floor information, please check the court's on-line
8 calendar at <http://www.cand.uscourts.gov> (click "Calendars" link on left side, click link to Judge
9 Ryu's calendar) or call Judge Ryu's Courtroom Deputy, Ivy Garcia, at (510) 637-3639, one week
10 prior to the scheduled hearing.

11 IT IS FURTHER ORDERED that by **no later than December 21, 2011**, Robert Newberry
12 shall show cause in writing why sanctions should not issue for his failure to appear at the December
13 7, 2011 debtor's examination and failure to meet and confer in good faith regarding the disputed
14 discovery.

15 Immediately upon receipt of this Order, Plaintiffs shall serve a copy of this Order on
16 Defendants and shall e-file a proof of service on the same day that service is effected.

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18 IT IS SO ORDERED.
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20 Dated: December 7, 2011
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